

Officer History

Officer Name: Wynter, Collin

Tax ID: 931456

Sex: M

Shield: 3889

Race: Black

Rank: DT3

Command: 331

DOB: [REDACTED]

Appt Date: 07/01/2002

Age: [REDACTED]

Tenure: 18

CCRB #	Report Date	Incident Date	Allegation	Disposition	NYPD Disposition	NYPD Penalty	Command
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
201208608	07/05/2012	07/05/2012	Abuse - Vehicle search	Unsubstantiated			104
	07/05/2012	07/05/2012	Abuse - Search (of person)	Unsubstantiated			104
	07/05/2012	07/05/2012	Abuse - Vehicle stop	Unsubstantiated			104
	07/05/2012	07/05/2012	OMN - Failure to prepare a memo book entry	Other Misconduct			104
	07/05/2012	07/05/2012	Abuse - Frisk	Unsubstantiated			104
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]			[REDACTED]
Total Charges = 9				Total Cases = 4			

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Joshua Brickell	Team: Team # 6	CCRB Case #: 201208608	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thu, 07/05/2012 1:30 PM	Location of Incident: Cypress Avenue between Cooper Avenue and entrance of Jackie Robinson parkway	Precinct: 104	S.O.L. Expires: 01/05/2014		
Date/Time CV Reported Thu, 07/05/2012 4:36 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Thu, 07/05/2012 4:36 PM		

Complainant/Victim	Type	Home Address
1. [REDACTED]	Comp/Victim	[REDACTED]
2. [REDACTED]	Victim	Unknown

Subject Officer(s)	Shield	TaxID	Command
1. POM Collin Wynter	19627	931456	104 PCT
2. POM [REDACTED]	[REDACTED]	[REDACTED]	104 PCT

Officer(s)	Allegation	Investigator Recommendation
A . POM Collin Wynter	Abuse of Authority: PO Collin Wynter stopped the vehicle in which [REDACTED] and [REDACTED] were occupants.	A . Unsubstantiated
B . POM [REDACTED]	Abuse of Authority: PO [REDACTED] stopped the vehicle in which [REDACTED] and [REDACTED] were occupants.	B . Unsubstantiated
C . POM Collin Wynter	Abuse of Authority: PO Collin Wynter frisked [REDACTED]	C . Unsubstantiated
D . POM Collin Wynter	Abuse of Authority: PO Collin Wynter searched [REDACTED]	D . Unsubstantiated
E . POM [REDACTED]	Abuse of Authority: PO [REDACTED] frisked [REDACTED]	E . Complainant Uncooperative
F . POM [REDACTED]	Abuse of Authority: PO [REDACTED] searched [REDACTED]	F . Complainant Uncooperative
G . POM Collin Wynter	Abuse of Authority: PO Collin Wynter searched the vehicle in which [REDACTED] and [REDACTED] were occupants.	G . Unsubstantiated
H . POM Collin Wynter	Other: PO Collin Wynter failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.	H . Other Misconduct
I . POM [REDACTED]	Other: PO [REDACTED] failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.	I . Other Misconduct

Case Summary

On July 5, 2012, [REDACTED] [REDACTED] filed this complaint by phone with the Civilian Complaint Review Board (encl. 5A – B). On July 5, 2012, PO Collin Wynter and PO [REDACTED] [REDACTED] stopped [REDACTED] [REDACTED] vehicle, which [REDACTED] [REDACTED] was driving, on Cypress Avenue in Queens. [REDACTED] [REDACTED] was the passenger. The following allegations resulted:

- **Allegation A – Abuse of Authority: PO Collin Wynter stopped the vehicle in which [REDACTED] and [REDACTED] were occupants.**
- **Allegation B – Abuse of Authority: PO [REDACTED] [REDACTED] stopped the vehicle in which [REDACTED] and [REDACTED] were occupants.**
- **Allegation C – Abuse of Authority: PO Collin Wynter frisked [REDACTED] [REDACTED]**
- **Allegation D – Abuse of Authority: PO Collin Wynter searched [REDACTED] [REDACTED]**
The investigation was unable to determine whether PO Wynter or PO [REDACTED] had sufficient cause to stop the vehicle in which [REDACTED] [REDACTED] and [REDACTED] [REDACTED] were occupants, or whether PO Wynter frisked or searched [REDACTED] [REDACTED]. Therefore, it is recommended that **Allegations A, B, C and D** be closed as **unsubstantiated**.
- **Allegation E – Abuse of Authority: PO [REDACTED] [REDACTED] frisked [REDACTED] [REDACTED]**
- **Allegation F – Abuse of Authority: PO [REDACTED] [REDACTED] searched [REDACTED] [REDACTED]**
[REDACTED] [REDACTED] refused to provide contact information for [REDACTED] [REDACTED] who lives in Florida. Therefore, it is recommended that **Allegations E and F** be closed as **complainant uncooperative**.
- **Allegation G – Abuse of Authority: PO [REDACTED] [REDACTED] searched the vehicle in which [REDACTED] [REDACTED] and [REDACTED] [REDACTED] were occupants.**
The investigation was unable to determine whether PO [REDACTED] searched the vehicle in which [REDACTED] [REDACTED] and [REDACTED] [REDACTED] were occupants. Therefore, it is recommended that **Allegation G** be closed as **unsubstantiated**.
- **Allegation H – Other: PO Collin Wynter failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.**
- **Allegation I – Other: PO [REDACTED] [REDACTED] failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.**
Because PO Wynter and PO [REDACTED] failed to prepare memo book entries as required by Patrol Guide Procedure 212-08, it is recommended that they be cited for **Other Misconduct**.

This case was reassigned to Inv. Brickell on September 9, 2013 from Inv. Schwartz.

Results of Investigation

Civilian Statement

Complainant/Victim: [REDACTED] [REDACTED]

- *At the time of the incident, [REDACTED] [REDACTED] was 24 years old. He is a Hispanic male, who stands at 5'9" tall, and weighs 150 pounds with brown hair and eyes. He is self-employed.*

CCRB Testimony

Inv. Schwartz spoke with [REDACTED] [REDACTED] by phone on July 13, 2012 (encl. 6A) and on July 19, 2012, [REDACTED] [REDACTED] was interviewed at the CCRB (encl. 6B – D). His statements were generally consistent and are summarized below.

On July 5, 2012, at approximately 1:30 p.m., [REDACTED] [REDACTED] was driving on Cooper Avenue in Queens, about to get on the Long Island Expressway, on the way to his parents' house. His brother, [REDACTED] [REDACTED] was seated in the passenger's seat. The truck, a Ford F-150 pickup, belongs to [REDACTED] [REDACTED]. They were in heavy traffic. They saw a police car's lights go on, and pulled over. The police vehicle stopped behind their vehicle.

At the time of the incident, [REDACTED] [REDACTED] wore a t-shirt and sweatpants with one pocket, which contained his cell phone and wallet. They were wedged in his pocket together, forming a bulge. [REDACTED] [REDACTED] wore cargo pants with approximately six pockets. [REDACTED] [REDACTED] had two cell phones, his wallet, his keys and money, all in different pockets.

Two officers, identified via the investigation as PO Collin Wynter and PO [REDACTED] [REDACTED] from the 104th Precinct, exited the black, unmarked vehicle. [REDACTED] [REDACTED] described the driver, PO Wynter, as a black male who stood at about 6'1" tall with a muscular build and dreadlocks. He described PO [REDACTED] as Hispanic male who stood at about 5'8" tall, with a medium to heavy build and green eyes. Both officers were in uniform and appeared to be in their thirties or forties.

PO Wynter approached [REDACTED] [REDACTED] and requested his license. [REDACTED] [REDACTED] handed PO Wynter his license, which he inspected. He then asked if they had any guns or drugs. [REDACTED] [REDACTED] looked at PO Wynter and said, "I don't think so." He responded this way to give PO Wynter attitude. [REDACTED] [REDACTED] felt that PO Wynter asked him this question because he was Hispanic. PO Wynter instructed [REDACTED] [REDACTED] to exit the truck and go around the back. Simultaneously, PO [REDACTED] asked [REDACTED] [REDACTED] to exit the truck and go to the front. [REDACTED] [REDACTED] could see [REDACTED] [REDACTED] from his position at the rear of the truck.

The officers questioned [REDACTED] [REDACTED] and [REDACTED] [REDACTED]. PO Wynter asked [REDACTED] [REDACTED] why he had a Maryland driver's license. He did not provide an answer, but told Inv. Schwartz that he lives in Maryland. [REDACTED] [REDACTED] asked why they had been pulled over, and PO Wynter told him that they appeared suspicious. [REDACTED] [REDACTED] asked why they looked suspicious, and PO Wynter told him to stop speaking.

PO Wynter approached [REDACTED] [REDACTED] and frisked him. PO Wynter asked what was in [REDACTED] [REDACTED] pocket. He answered that the bulge was his cell phone. PO Wynter felt the cell phone and wallet through [REDACTED] [REDACTED] sweatpants. He held [REDACTED] [REDACTED] pocket open and looked into it to see its contents. He asked [REDACTED] [REDACTED] to remove the objects from his pocket.

[REDACTED] [REDACTED] saw PO [REDACTED] frisk [REDACTED] [REDACTED]. PO [REDACTED] asked [REDACTED] [REDACTED] what was in his pockets, and told him to empty them. [REDACTED] [REDACTED] removed everything from his pockets, and the officers inquired about the two cell phones. PO [REDACTED] told [REDACTED] [REDACTED] to remove his shoes and socks, and [REDACTED] [REDACTED] observed [REDACTED] [REDACTED] comply. PO [REDACTED] then searched [REDACTED] [REDACTED] shoes.

PO [REDACTED] requested [REDACTED] [REDACTED] identification, which he provided. PO [REDACTED] looked at it, and returned it. He asked why [REDACTED] [REDACTED] had a Florida driver's license, and whether he lived in New York. [REDACTED] [REDACTED] told PO [REDACTED] that he and [REDACTED] [REDACTED] had businesses in New York. [REDACTED] [REDACTED] told Inv. Schwartz that [REDACTED] [REDACTED] lives in Florida.

PO Wynter told [REDACTED] [REDACTED] that they had to check the truck. He did not respond. [REDACTED] [REDACTED] saw PO Wynter lean into the driver's side of the vehicle. [REDACTED] [REDACTED] believed that the truck's door was already open before PO Wynter leaned into the truck. He could not see whether PO Wynter got into the truck. [REDACTED] [REDACTED] told [REDACTED] [REDACTED] after the incident that PO Wynter opened the truck's door and went inside. [REDACTED] [REDACTED] could not see what PO Wynter did inside the truck, but estimated that he was inside the truck for two or three minutes. [REDACTED] [REDACTED] did not see whether PO [REDACTED] went into the truck. [REDACTED] [REDACTED] told [REDACTED] [REDACTED] that the open passenger's door allowed him to see PO Wynter look at and touch everything in the truck. [REDACTED] [REDACTED] heard [REDACTED] [REDACTED] ask the officers why they were searching the truck without a warrant.

PO Wynter returned to [REDACTED] [REDACTED] and he asked why they had been pulled him over. PO Wynter told him that he had been pulled over because of his lights. [REDACTED] [REDACTED] did not specify which lights. [REDACTED] [REDACTED] replied that he could demonstrate that the lights worked properly, but PO Wynter declined to let him do so. PO Wynter returned [REDACTED] [REDACTED] license and told him to leave. [REDACTED] [REDACTED] was certain that the truck's lights functioned at the time of the incident. He told PO Wynter that if his lights did not work, PO Wynter should issue him a summons. [REDACTED] [REDACTED] was not issued a summons.

Attempts to Contact Civilians

[REDACTED] [REDACTED] declined to provide contact information for [REDACTED] [REDACTED] and stated that [REDACTED] [REDACTED] would not participate in the investigation, but did not specify a reason. A Lexis Nexis search was negative for [REDACTED] [REDACTED] in New York and Florida (encl. 14E - G).

NYPD Statements:

Subject Officer: PO COLLIN WYNTER

- *On the date of the incident, PO Wynter was 42 years old. He is a black male, stands 5'11" tall, and weighs 145 pounds with dreadlocked black hair and brown eyes.*
- *On July 5, 2012, PO Wynter worked from 9:30 a.m. to 6:05 p.m. His assignment was Conditions and he was partnered with PO [REDACTED] [REDACTED]. He was not sure whether he wore a uniform or plainclothes. He was assigned to an unmarked black Impala.*

Memo Book (excl. 8A – 8B)

PO Wynter had no memo book entry regarding this incident. There are no entries near the time of the incident.

CCRB Testimony

On March 20, 2013, PO Collin Wynter was interviewed at the CCRB (encl. 8C – D).

PO Wynter did not recall this incident. He confirmed that he made vehicle stops on the incident date, and that he was familiar with the incident location. He could not recall whether he made any vehicle stops near that location on the incident date. He did not recognize the photograph of [REDACTED] [REDACTED]. He stated that PO [REDACTED] drove the vehicle on that day. PO Wynter did not recall any specific vehicle stops made on the incident date, nor did he recall stopping any pickup trucks. He did not recall whether he stopped [REDACTED] [REDACTED] and [REDACTED] [REDACTED] vehicle, questioned them, frisked or searched [REDACTED] [REDACTED] or searched their vehicle.

PO Wynter confirmed that he usually wears his hair in dreadlocks pulled back, as he did when interviewed at the CCRB.

Subject Officer: PO [REDACTED]

- *On the date of the incident, PO [REDACTED] was 43 years old. He is a black male, stands 5'8" inches tall, and weighs 190 pounds, with brown hair and brown eyes.*
- *On July 5, 2012, PO [REDACTED] worked from 9:30 a.m. to 6:05 p.m. His assignment was Conditions and he worked with PO Collin Wynter. He was in uniform. He was assigned to an unmarked black Impala.*

Memo Book (encl. 7A – C)

PO [REDACTED] had no memo book entry regarding this incident. There are no entries near the time of the incident.

CCRB Testimony

On March 21, 2013, PO [REDACTED] was interviewed at the CCRB (encl. 7D – E).

PO [REDACTED] did not recall the incident in question. He did not recognize the photograph of [REDACTED]. He did not recall stopping a pickup truck, or making any vehicle stops that day. He did not recall stopping the [REDACTED]. He did not recall asking either of them for identification, or frisking or searching [REDACTED].

Police Documents

An MISD check was negative for [REDACTED] and [REDACTED] or their vehicle (encl. 16A). There were no related UF250 reports for the incident (encl. 16C). There was no related sprint for the incident (encl. 16B).

Status of Civil Proceedings

- As of April 4, 2013, Mr. [REDACTED] has not filed a Notice of Claim regarding this incident (encl. 14H).

Civilian Criminal History

- As of March 12, 2013, Office of Court Administration records reveal no criminal convictions for [REDACTED] (encl. 13).
- OCA was unavailable to search for [REDACTED] criminal conviction history.

Civilian CCRB History

- This is the first CCRB complaint filed by [REDACTED] and [REDACTED] (encl. 3).

Subject Officers CCRB History

- PO Collin Wynter has been a member of the service for 11 years and there are no substantiated CCRB allegations against him (encl. 1).
- PO [REDACTED] has been a member of the service for 9 years and there are no substantiated CCRB allegations against him (encl. 2A – B).

Conclusion

Identification of Subject Officers

PO Wynter and PO [REDACTED] match the descriptions provided by [REDACTED] [REDACTED] [REDACTED] [REDACTED] described one officer as a black male, approximately 6'1" tall, with a muscular build and dreadlocks. PO Wynter is a black male, stands 5'11" tall, weighs 145 pounds, and confirmed that he wore his hair in dreadlocks on the incident date. [REDACTED] [REDACTED] described the second officer as a Hispanic male, approximately 5'8" tall, with a medium to heavy build and green eyes. PO [REDACTED] is a light-skinned black male, stands 5'8" tall and weighs 190 pounds. The vehicle to which PO Wynter and PO [REDACTED] were assigned on the incident date matches [REDACTED] [REDACTED] description of the subject officers' vehicle. Therefore, the investigation was able to determine by a preponderance of the evidence that PO Wynter and PO [REDACTED] are the subject officers.

[REDACTED] [REDACTED] alleged that a black male officer stopped his truck, frisked and searched him, and searched the vehicle in which he was an occupant. Therefore, **Allegations A, C, D, and G** are pleaded against PO Wynter. [REDACTED] [REDACTED] alleged that a Hispanic male officer stopped, frisked and searched [REDACTED] [REDACTED]. Therefore, **Allegations B, E and F** are pleaded against PO [REDACTED].

Investigative Findings and Recommendations

- **Allegation A – Abuse of Authority: PO Collin Wynter stopped the vehicle in which [REDACTED] and [REDACTED] were occupants.**
- **Allegation B – Abuse of Authority: PO [REDACTED] [REDACTED] stopped the vehicle in which [REDACTED] and [REDACTED] were occupants.**
- **Allegation C – Abuse of Authority: PO Collin Wynter frisked [REDACTED] [REDACTED]**
- **Allegation D – Abuse of Authority: PO Collin Wynter searched [REDACTED] [REDACTED]**
- **Allegation G – Abuse of Authority: PO Collin Wynter searched the vehicle in which [REDACTED] and [REDACTED] were occupants.**

[REDACTED] [REDACTED] alleged that PO Wynter and PO [REDACTED] stopped the vehicle in which he and [REDACTED] [REDACTED] were occupants, that PO Wynter frisked and searched [REDACTED] [REDACTED] and their vehicle.

Neither PO Wynter nor PO [REDACTED] recalled the incident. Neither had any memo book entries regarding the incident, recalled any vehicle stops at the time and place of the incident, or recognized [REDACTED] [REDACTED].

Based on conflicting statements and the lack of independent witness testimony, the investigation was unable to reach a preponderance of the evidence as to whether PO Wynter and PO [REDACTED] had sufficient suspicion to stop [REDACTED] [REDACTED] vehicle, or if PO Wynter frisked or searched [REDACTED] [REDACTED] or his vehicle. Therefore, it is recommended that **Allegations A, B, C, D and G** be closed as **unsubstantiated**.

- **Allegation E – Abuse of Authority: PO [REDACTED] [REDACTED] frisked [REDACTED] [REDACTED]**
 - **Allegation F – Abuse of Authority: PO [REDACTED] [REDACTED] searched [REDACTED] [REDACTED]**
- [REDACTED] [REDACTED] alleged that PO [REDACTED] frisked and searched [REDACTED] [REDACTED].

There was no stop and frisk report created and neither officer recalled the incident.

██████████ refused to provide contact information for ██████████ who lives in Florida. No contact information was otherwise discovered for ██████████. Therefore, it is recommended that **Allegations E and F** be closed as **complainant uncooperative**.

- **Allegation H – Other: PO Collin Wynter failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.**
- **Allegation I – Other: PO ██████████ failed to prepare a memo book entry as required by Patrol Guide Procedure 212-08.**

Because PO Wynter and PO Write failed to prepare memo book entries as required by Patrol Guide Procedure 212-08, it is recommended that they be cited for **Other Misconduct**.

Team: _____

Investigator: _____	_____	_____
Signature	Print	Date

Supervisor: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date